

JUN 11 4 11 PM '93

SUBSTITUTED TRUSTEE'S DEED

BK 258 PG 248  
WHEREAS, on March 29, 1989, Roger D. King and wife, Donna S. King, executed a Deed of Trust to George S. McIngvale, Trustee, for the benefit of Robert L. Woods and H. H. Hawks, which Deed of Trust is filed for record in Deed of Trust Book 470 at Page 707 in the Office of the Chancery Clerk of DeSoto County at Hernando, Mississippi; and

WHEREAS, Robert L. Woods did assign unto Robert Luell Woods, Trustee of the Robert Luell Woods Living Trust, his undivided one-half interest in said Deed of Trust, on July 17, 1992, by instrument filed for record in Deed of Trust book 594 at Page 173 of the aforesaid records; and

WHEREAS, said Deed of Trust authorized the appointment and substitution of another Trustee in the place of the Trustee named in said Deed of Trust or subsequently substituted therein, and Robert Luell Woods, Trustee of the Robert Luell Woods Living Trust, and H. H. Hawks appointed and substituted Kenneth E. Stockton as Trustee therein by instrument dated May 10, 1993, and duly filed for record in the office of the aforesaid Chancery Clerk in Deed of Trust Book 637 at Page 792 prior to the first publication and posting of the notice of sale; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust, which default continued for a period of time necessary for the holder thereof to declare the entire indebtedness together with attorney's fees, expenses and cost, immediately due and payable, as was its option so to do under the terms of said Deed of Trust, and default having been made in payment of said amount and the Substituted Trustee having been requested and directed by Robert Luell Woods, Trustee of the Robert Luell Woods Living Trust, and H. H. Hawks to foreclose under the terms of said Deed of Trust, I did on the 11th day of June, 1993, during legal hours, being between the hours of 11:00 A.M. and 4:00 P.M. at the

main east door of the county courthouse of DeSoto County, Mississippi, in accordance with the terms of the Deed of Trust and the laws of the State of Mississippi, offer for sale at public auction and sell to the highest and best bidder for cash the following described land and property lying and being situated in DeSoto County, Mississippi, being more particularly described as follows, to-wit:

Lot 14, NORTH INGRAM MILLS FARMS in Section 29, Township 3 South, Range 5 West, as per plat thereof of record in Plat Book 32 at Pages 48-51 in the Office of the Chancery Clerk of DeSoto County, Mississippi.

Said property was sold after strictly complying with all of the terms and conditions of said Deed of Trust and the statutes made and provided in such cases. That it should be further noted that said property was sold only after an Order Lifting Automatic Stay was entered with the United States Bankruptcy Court for the Northern District of Mississippi in the case styled in re: Roger D. King, Donna S. King Case No. 90-43782 and which Order Lifting Automatic Stay allowed secured creditors Robert L. Woods being one and the same as Robert Luell Woods, Trustee of the Robert Luell Woods Living Trust, and H. H. Hawks to proceed with foreclosure of said property. That attached hereto is a copy of the Order Lifting Automatic Stay for future reference.

Notice of time, place and terms of said sale, together with a description of the property to be sold, was given by publication in the *DeSoto Times*, a newspaper published in Hernando, Mississippi, for three consecutive weeks preceding the date of sale. The first notice of publication appeared on May 20, 1993 and subsequent notices appeared on May 27, 1993, June 3, 1993 and June 10, 1993, a certified copy of which is attached hereto, and a notice identical to the published notice was posted on the Bulletin Board in the rotunda area of the first floor of the county courthouse of DeSoto County, Mississippi for said period of three consecutive weeks. Everything necessary to be done was done to make an

effective good and lawful sale.

At said sale, Robert Luell Woods, Trustee for the Robert Luell Woods Living Trust, and H. H. Hawks, bid for said property in the amount of \$17,833.05, which was the highest and best bid.

NOW, THEREFORE, in consideration of the full payment of the purchase price, I, the undersigned Substituted Trustee, do hereby sell and convey unto Robert Luell Woods, Trustee of the Robert Luell Woods Living Trust, and H. H. Hawks, the land and property herein described.

I convey only such title as vested in me as Substituted Trustee.

WITNESS my signature this the 11th day of June, 1993.

*Kenneth E. Stockton*

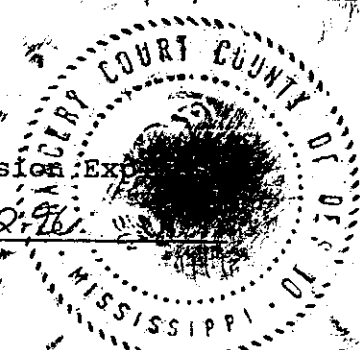
KENNETH E. STOCKTON  
SUBSTITUTED TRUSTEE

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said County and State, on this the 11th day of June, 1993, within my jurisdiction, the within named KENNETH E. STOCKTON, Substituted Trustee, duly identified before me, who acknowledged that in said representative capacity he executed the above and foregoing instrument, after first having been duly authorized so to do.

My Commission Expires

(SEAL)



*W. E. Davis, Chancery Clerk*  
NOTARY PUBLIC

*By B. Cleveland, SC*

93209.148  
GRANTOR'S ADDRESS;  
2565 Caffey Street, Suite 100  
Hernando, MS 38632  
BUS. TEL.: 601-429-5038  
RES. TEL.: N/A

GRANTEES' ADDRESS:  
P. O. Box 5067  
Holly Springs, MS 38634  
BUS. TEL.: 601-252-2333  
RES. TEL.: N/A



## PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI  
COUNTY OF DESOTO

**PAM BURTON** personally appeared before me the undersigned authority in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times, a newspaper published in the Town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times, as follows, to-wit:

Volume No. 98 on the 20 day of May, 19 93

Volume No. 98 on the 27 day of May, 19 93

Volume No. 98 on the 3 day of June, 19 93

Volume No. 98 on the 10 day of June, 19 93

Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

Pam Burton, Clerk  
(TITLE)

Sworn to and subscribed before me, this the

10 day of June, 19 93

Cheryl L. Fitzgerald

By Notary Public

My commission expires \_\_\_\_\_

My Commission Expires March 17, 1997

A. Single first insertion of 412 words @ .08 \$ 32.96  
B. 3 subsequent insertions of 1236 words @ .05 \$ 61.80  
C. Making proof of publication and depositing to same \$ 1.00

TOTAL PUBLISHER'S FEE \$ 95.76

**SUBSTITUTED TRUSTEE'S  
NOTICE OF SALE**

WHEREAS, on March 29, 1989, Roger D. King and wife, Donna S. King, executed a Deed of Trust to George S. McIngvale, Trustee, for the benefit of Robert L. Woods and H.H. Hawks, which Deed of Trust is filed for record in Deed of Trust Book 470 at Page 707 in the Office of the Chancery Clerk of DeSoto County at Hernando, Mississippi; and

WHEREAS, Robert L. Woods did assign unto Robert Luell Woods, Trustee of the Robert Luell Woods Living Trust, his undivided one-half interest in said Deed of Trust, on July 17, 1992, by instrument filed for record in Deed of Trust Book 594 at Page 173 of the aforesaid records; and

WHEREAS, said Deed of Trust authorized the appointment and substitution of another Trustee in the place of the Trustee named in said Deed of Trust or subsequently substituted therein, and Robert Luell Woods, Trustee of the Robert Luell Woods Living Trust, and H.H. Hawks appointed and substituted Kenneth E. Stockton as Trustee therein by instrument dated May 10, 1993, and duly filed for record in the office of the aforesaid Chancery Clerk in Deed of Trust Book 637 at Page 792; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust, and the entire indebtedness secured thereby having been declared to be due and payable pursuant to the terms of said Deed of Trust, and Robert Luell Woods, Trustee of the Robert Luell Woods Living Trust, and H.H. Hawks, the holders of the note and Deed of Trust, having requested the undersigned Substituted Trustee to do, I will, on the 11th day of June, 1993, offer for sale at public outcry and sell during legal hours, being between the hours of 11:00 a.m. and 4:00 p.m., at the main east door of the County Courthouse of DeSoto County at Hernando, Mississippi, for cash to the highest and best bidder, the following described land and property lying and being situated in DeSoto County, Mississippi, and being more particularly described as follows, to-wit:

Lot 14, NORTH INGRAM MILLS FARMS in Section 29, Township 3, South, Range 5 West, as per plat thereof of record in Plat Book 32 at Pages 48-51 in the Office of the Chancery Clerk of DeSoto County, Mississippi.

I will convey only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE,

this the 14th day of May, 1993.  
KENNETH E. STOCKTON,  
Law Offices of A. Cindal, May 14, 1993  
2555 Hwy Street, Suite 100

Hernando, MS 38632  
May 20, 27, June 3, 10, 1993 412

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

IN RE: ROGER D. KING, DONNA S. KING

CASE NO. 90-43782

ORDER LIFTING AUTOMATIC STAY

THIS CAUSE came on for hearing before the undersigned upon the duly filed Motion To Lift Stay by Robert L. Woods and H. H. Hawks requesting relief from the automatic stay as to their security, and the Court does hereby find as follows:

1. That the said Robert L. Woods and H. H. Hawks are secured creditors of the above-named debtors, Roger D. King and Donna S. King, with said debt being secured by that certain first mortgage deed of trust on said property located in DeSoto County, Mississippi, and said deed of trust being recorded at Real Estate Trust Deed Book 470, Page 707, in the Office of the Chancery Clerk of DeSoto County, Mississippi.
2. That said debtors, Roger D. King and Donna S. King, filed for relief under Title XI, U.S.C. Chapter 13, and that in said petition the creditors, Robert L. Wood and H. H. Hawks, were named as creditors. That as part of said plan, the debtors agreed to pay "outside" of said Chapter 13 plan their regular mortgage payments of \$149.85 per month and that plan payments of 424.98 were to be paid on an arrearage of \$899.34 at time said petition was filed.
3. That said plan was confirmed by this Court.
4. That as of the date of said Motion To Lift Stay, being March

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Entered 5-4-93 at 10:20 A.M.  
United States Bankruptcy Court  
Northern District of Mississippi  
Joseph E. Wroten, Clerk  
By J. L. Jones D. C.

33-1

16, 1993, filed herein by the creditors, the debtors were three months in arrears with their regular monthly mortgage payments of \$149.85 per month, and no payments have been made since said date to creditors by debtors, or on their behalf.

5. That, further, the debtors are four months past due in their Chapter 13 arrearage payments of \$24.98 per month.

6. That the debtors are now seriously delinquent on both their "outside" the plan regular mortgage payments and their Chapter 13 arrearage plan payments. That the creditors herein are being irreparably harmed by the debtors' failure to pay and the continuation of the automatic stay. That the creditors and movants, Robert L. Woods and H. H. Hawks, be allowed to proceed with the foreclosure of said security in accordance with the terms of said deed of trust and the laws and statutes of the State of Mississippi.

7. That the automatic stay should be lifted as to said movants, affecting the debtors and property noted herein, in order that the creditors/movants will not be further harmed by the continuation of the automatic stay.

IT IS THEREFORE ORDERED AND ADJUDGED that the automatic stay in this cause, as to the property noted herein pledged as security for the indebtedness due and owing unto the said Robert L. Woods and H. H. Hawks by the debtors named herein, is hereby lifted as to said creditors and the property noted herein only. That the stay is hereby lifted and the movants are hereby allowed to proceed with

foreclosure of said real property. That said property is described in that certain Deed of Trust at Real Estate Trust Deed Book 470, Page 707, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

Ordered and Adjudged this the 3<sup>rd</sup> day of May 1993.

W. L. Hunter, III  
BANKRUPTCY COURT JUDGE